

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and

THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 1853 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 07-11-2003 in W.P. NO : 13263 OF 1998 on the file of the High Court.)

Between:

1. A.P.State Road Transport Corporation,

rep.by its Executive Director,
Vizianagaram Zone, Vizianagaram.

2. Vigilance & Security Officer, A.P.S.R.T.C.,

Vizianagaram Zone,
Office of the Executive Director. Vizianagaram.

..... APPELLANTS

AND

1. P.Ravi Kumar, S/o P.Mutyala Rao,
R/o APSRTC, Vizianagaram.

2 P.Prem Kumar, S/o P.Mutyala Rao,
R/o APSRTC, Vizianagaram.

3. N.A.Narayana, S/o Appala Naidu,
Gajuwaka, Visakhapatnam.

....RESPONDENTS

Counsel for the Appellants: MR. P.VINAYAKA SWAMY

Counsel for the Respondents: MR.V.VENKATARAMANA

The Court made the following:

JUDGMENT: (PER HON'BLE SRI JUSTICE G.BIKSHAPATHY)

The Writ Appeal is filed against the Order, dated 07.11.2003 passed by the learned single Judge in W.P. No. 13263 of 1998.

2. The respondents were working as Security Guards in Vijayanagaram Region. However, they were sought to be transferred, out of the region on the ground that they are acting detriment to the interest of the Corporation. The said orders came to be challenged before this Court in W.P. No. 13263 of 1998.

3. The learned single Judge allowed the Writ Petition on the ground that no material has been placed by the Corporation to the effect that there were some adverse reports against the respondents. Moreover, the learned single Judge also observed that as per the rules an employee couldn't be transferred from one region to another region, as per the service conditions. Under these circumstances, the Writ Petition came to be allowed. Against which the present Writ Appeal is filed by the A.P.S.R.T.C.

4. The learned standing counsel for the A.P.S.R.T.C. would contend that the order of the learned single Judge is not sustainable inasmuch as the Corporation is entitled to transfer any employee to any place irrespective of the status. In the instant case, it is found that the respondents were involving themselves in political activities and therefore, they are transferred from out of region. But this Contention cannot be accepted in view of the findings recorded by the learned single Judge. The Corporation has not placed any material before the learned single Judge on this aspect. Thus, we do not find any illegality in the order passed by the learned single

Judge.

5. In the result, the Writ Appeal is dismissed. No costs.

G. BIKSHAPATHY,J

B.SESHASAYANA REDDY ,J

kvrm/bcj

To

- 1. The Executive Officer, A.P.State Road Transport Corporation,
Vizianagaram Zone, Vizianagaram.
- 2. The Vigilance & Security Officer, A.P.S.R.T.C.,
Vizianagaram Zone, Office of the Executive Director.
Vizianagaram.
- 3. 2 CD copies.